

1 HONORABLE RONALD B. LEIGHTON
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

v.

12 PERCY F NEWBY, et al.,

13 Defendants.

CASE NO. C18-5978 RBL

ORDER

14 THIS MATTER is before the Court on Defendant Lawn Limited’s Motion to Dismiss for
15 Lack of Personal Service [Dkt.# 8]. Lawn Limited claims it is a “Massachusetts Business Trust
16 Organization,” and it purports to enter a special notice of appearance through its “Special
17 Executive Trustee,” Donovan McDermott. McDermott also signed the Motion.

18 There is no indication that McDermott is an attorney, and he does not claim that he is
19 representing Lawn Limited as an attorney. A business entity such as Lawn Limited cannot
20 appear *pro se* in this Court.

21 Because a corporation is an artificial entity, necessarily its interests in a court proceeding
22 must be represented by a person acting on its behalf. Representing another person or entity in
23 court is the practice of law. To practice law, one must be an attorney. RCW 2.48.170. Thus

1 Washington, like all federal courts, follows the common law rule that corporations appearing in
2 court proceedings must be represented by an attorney.

3 There is a *pro se* exception to this general rule, under which a person “may appear and
4 act in any court as his own attorney without threat of sanction for unauthorized practice.” The
5 *pro se* exception is, however, extremely limited and applies “only if the layperson is acting
6 solely on his own behalf” with respect to his own legal rights and obligations. *Cottringer v.*
7 *State, Dep’t of Employment Sec.*, 162 Wash. App. 782, 787–88, 257 P.3d 667, 669 (2011).

8 Lawn Limited’s Motion to Dismiss [Dkt. # 8] is **DENIED** and the Court will not accept
9 further filings on its behalf by anyone who is not a licensed attorney admitted to practice in this
10 District. It must retain such an attorney to represent and defend it in this matter.

11 IT IS SO ORDERED.

12 Dated this 8th day of January, 2018.

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14 Ronald B. Leighton

15 Ronald B. Leighton
United States District Judge
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